

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

(SPECIAL ORIGINAL JURISDICTION)
WEDNESDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND FOUR

: PRESENT:
THE HON'BLE DR. JUSTICE: **MOTILAL B. NAIK**
AND
THE HON'BLE MR. JUSTICE; **DALAVA SUBRAHMANYAM**

WRIT PETITION No. 873 of 2004

Between:

M/s Klen and Marshalls Manufacturers & Exporters (P) Limited, having its Branch Office at 9-1-83 & 84, Amarchand Sharma complex,
S.P. Road, Secundrabad rep by its Authorised Signatory R. Vijay Kumar
Petitioner

AND

1. The Appellate Deputy Commissioner (CT), Panjagutta Division, Hyderabad
2. Commercial Tax Officer, Khairatabad Circle, Hyderabad

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus by setting aside the order of dated 19-12-2003, passed by the 1st respondent and directing the 1st respondent to restore the Appeals filed by the petitioner, admit the appeals without insisting for the proof of payment of 12.5% of the disputed tax and dispose it of on merits

The writ petition coming on for orders upon perusing the petition and affidavit and upon hearing the arguments of Mr.B. Chandrasen Reddy , Advocate for Petitioner and of G.P for Commercial Taxes on behalf of Respondents.

The Court made the following :

ORDER :

Post the matter on 01-03-04 for admission and disposal of the matter. Pending decision, the respondents shall not take any coercive steps up to 02-03-04.

Post on 01-03-04

Sd/-- **M.F. QURESHI**
ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Appellate Deputy Commissioner (CT), Panjagutta Division, Hyderabad
2. Commercial Tax Officer, Khairatabad Circle, Hyderabad
(1 and 2 BY RPAD)
3. Two CC's to G.P for Commercial Taxes, High court of A.P., Hyderabad (OUT)
4. Two Spare Copies

Sm

HIGH COURT

DT.25-02- 2004

NOTE: POST ON 01-03-2004

ORDER

W.P.No. 873 of 2004

DIRECTION

HIGH COURT

DRAFTED BY : SKM
DRAFTED ON : 25-02-2004

Dr. MBN, J & DSM, J

DT. 25-02-2004

NOTE: POST ON 01-03-2004

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ORDER

W.P.No. 873 of 2004

DIRECTION